THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :12025 of 2007

DATED:12-06-2007

BETWEEN:

Bada Ashoorkhana,
Kodumuru village,
Rep., by its Muthavali M.Liyaquat Ali.

..... PETITIONER

AND

The Superintendent of Police,
Kurnool,
Kurnool District & another.

.....RESPONDENTS

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ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Home appearing for the respondents.

2. Petitioner seeks a writ of mandamus directing the respondents to forthwith take action in pursuance of the representation made to the respondents, dated 24-05-2007, and consequently grant police protection to protect the petitioner's Wakf properties covering Sy.Nos.28/A and 28/B admeasuring Ac.16.50 cents of Kodumuru village, Kurnool District.

3. It is stated that an extent of Ac.16.50 cents of land in Sy.Nos.28/A and 28/B situated in Kodumuru village, Kurnool District is a Wakf property and petitioner-Liyaquat Ali is the Muthavali of the said property. It is further stated that the Wakf represented by its Muthavali-petitioner herein is in enjoyment of the possession of the said property. Recently the Communist party of India has taken up the task of occupying the Government lands and the said properties of Muthavali are also sought to be occupied thinking that they are the Government lands. It is stated that the petitioner made a representation, dated 24-05-2007, before the Station House Officer, marking copies to the 1st respondent-

Superintendent of Police, Revenue Divisional Officer, Tahsildar, and the District Collector, but the local 2nd respondent-Sub-Inspector of police, Kurnool is not taking action to provide any police force to protect the said property.

4. I am not inclined to express any opinion whether the activists of the Communist party are attempting to occupy the said property or not. However, if there is any such attempt it is the duty of the police to take appropriate action pursuant to the said representation of the petitioner.

5. Having regard to the facts and circumstances of the case 2nd respondent is directed to consider and dispose of the said representation of the petitioner, dated 24-05-2007, and take appropriate action in accordance with law.

6. Accordingly, the Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

12th June, 2007.
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